# U.S. District Court Southern District of Florida (Miami) CIVIL DOCKET FOR CASE #: 1:20-cv-24742-BB

Mindbasehq LLC v. Alphabet Inc. Assigned to: Judge Beth Bloom

Referred to: Magistrate Judge Alicia M. Otazo-Reyes

Cause: 35:0271 Patent Infringement

Date Filed: 11/17/2020 Date Terminated: 05/12/2021 Jury Demand: Plaintiff Nature of Suit: 830 Patent Jurisdiction: Federal Question

# **Plaintiff**

Mindbasehq LLC

# represented by Anne Reilly Flanigan

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# Alphabet Inc.

TERMINATED: 01/11/2021

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# **Defendant**

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Date Filed	#	Docket Text
11/17/2020	<u>Ï 1</u>	COMPLAINT against Alphabet Inc Filing fees \$ 400.00 receipt number BFLSDC–13881907, filed by MINDBASEHQ LLC. (Attachments: # 1 Exhibit Patent No.:6,510,433, # 2 Exhibit Patent No.: 6,665,680)(Hsu, Alen) (Entered: 11/17/2020)

11/17/2020	<u>Ï</u> 2	Clerks Notice of Judge Assignment to Judge Beth Bloom.
		Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Alicia M. Otazo–Reyes is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (kpe) (Entered: 11/18/2020)
11/18/2020	<u>Ï 3</u>	FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (kpe) (Entered: 11/18/2020)
11/18/2020	<u>Ï</u> 4	Clerks Notice to Filer re: Electronic Case. No Civil Cover Sheet. Filer is instructed to file a Notice (Other) with the Civil Cover Sheet attached within 24 hours of the notice. (kpe) (Entered: 11/18/2020)
11/18/2020	<u>Ï 5</u>	NOTICE by MINDBASEHQ LLC re <u>1</u> Complaint <i>Civil Cover Sheet</i> (Attachments: # <u>1</u> Civil Cover Sheet) (Hsu, Alen) (Entered: 11/18/2020)
11/18/2020	<u>Ï 6</u>	NOTICE of Filing Proposed Summons(es) by MINDBASEHQ LLC re <u>1</u> Complaint filed by MINDBASEHQ LLC (Attachments: # <u>1</u> Summon(s)) (Hsu, Alen) (Entered: 11/18/2020)
11/18/2020	<u>Ï</u> 7	ORDER Requiring Scheduling Report And Certificates Of Interested Parties. Signed by Judge Beth Bloom on 11/18/2020. <i>See attached document for full details</i> . (kpe) (Entered: 11/18/2020)
11/18/2020	<u>Ï 8</u>	Summons Issued as to Alphabet Inc (kpe) (Entered: 11/18/2020)
12/11/2020	<u>Ï 9</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint by Alphabet Inc Attorney Edward Maurice Mullins added to party Alphabet Inc.(pty:dft). (Attachments: # <u>1</u> Text of Proposed Order)(Mullins, Edward) (Entered: 12/11/2020)
12/11/2020	<u>İ</u> 10	PAPERLESS ORDER granting 2 Defendant's Unopposed MOTION for Extension of Time. Defendant shall respond to the Complaint by no later than January 14, 2021. Signed by Judge Beth Bloom (ks01) (Entered: 12/11/2020)
12/14/2020	<u> 11</u>	NOTICE of Attorney Appearance by Edward Maurice Mullins on behalf of Alphabet Inc. (Mullins, Edward) (Entered: 12/14/2020)
12/14/2020	<u>İ 12</u>	NOTICE of Attorney Appearance by Daniel Alvarez Sox on behalf of Alphabet Inc Attorney Daniel Alvarez Sox added to party Alphabet Inc.(pty:dft). (Sox, Daniel) (Entered: 12/14/2020)
12/14/2020	<u>İ 13</u>	NOTICE of Attorney Appearance by Marcelo Diaz–Cortes on behalf of Alphabet Inc Attorney Marcelo Diaz–Cortes added to party Alphabet Inc.(pty:dft). (Diaz–Cortes, Marcelo) (Entered: 12/14/2020)
12/29/2020	<u>ľ 14</u>	Unopposed MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for James Iaconis. Filing Fee \$ 200.00 Receipt # BFLSDC–14118072 by MINDBASEHQ LLC. Responses due by 1/12/2021 (Attachments: # 1 Certification, # 2 Text of Proposed Order)(Hsu, Alen) (Entered: 12/29/2020)
12/29/2020	<u>İ 15</u>	Unopposed MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for R. Terry Parker. Filing Fee \$ 200.00 Receipt # AFLSDC–14118355 by MINDBASEHQ LLC. Responses due by 1/12/2021 (Attachments: # 1 Certification, # 2 Text of Proposed Order)(Hsu, Alen) (Entered: 12/29/2020)
12/29/2020	<u>ľ</u> 16	PAPERLESS ORDER granting 14 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney James Iaconis. Signed by Judge Beth Bloom (ks01) (Entered: 12/29/2020)
12/30/2020	<u>i</u> 17	PAPERLESS ORDER denying 15 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney R. Terry Parker. Notice of

		Noncompliance with LR 4(b) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys as follows: PHV Attorney R. Terry Parker is not admitted to the Bars listed. Attorney must file documents in the name in which he is admitted to the Bar. Attorney is admitted as Robert Terry Parker. Signed by Judge Beth Bloom (BB) (Entered: 12/30/2020)
12/30/2020	<u>i</u> 18	Joint MOTION for Extension of Time to Submit Joint Scheduling Report re 7 Order Requiring Joint Scheduling Report by Alphabet Inc Responses due by 1/13/2021 (Attachments: # 1 Text of Proposed Order)(Mullins, Edward) (Entered: 12/30/2020)
12/30/2020	<u>i</u> 19	PAPERLESS ORDER granting <u>18</u> Motion for Extension of Time. The Parties shall submit their joint scheduling report and related documents pursuant to the Court's Order Requiring Scheduling Report and Certificates of Interested Parties, ECF No. <u>7</u> , by January 28, 2021. Signed by Judge Beth Bloom (BB) (Entered: 12/30/2020)
12/30/2020	<u>i</u> 20	Unopposed MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Robert Terry Parker. Filing Fee \$ 200.00 Amended/Corrected Motion to Appear Pro Hac Vice Filed – Filing Fees Previously Paid. See 15 Motion to Appear Pro Hac Vice, by MINDBASEHQ LLC. Responses due by 1/13/2021 (Attachments: # 1 Certification, # 2 Text of Proposed Order)(Hsu, Alen) (Entered: 12/30/2020)
12/30/2020	<u>Ï</u>	Attorney Robert Terry Parker representing MINDBASEHQ LLC (Plaintiff) Activated. (cco) (Entered: 12/30/2020)
12/30/2020	<u>i</u> 21	PAPERLESS ORDER granting 20 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Robert Terry Parker. Signed by Judge Beth Bloom (ks01) (Entered: 12/30/2020)
01/11/2021	<u>i</u> 22	First AMENDED COMPLAINT against Google LLC, filed by MINDBASEHQ LLC.(Flanigan, Anne) (Entered: 01/11/2021)
01/14/2021	<u>i 23</u>	NOTICE by MINDBASEHQ LLC re <u>22</u> Amended Complaint/Amended Notice of Removal <i>Plaintiff, Mindbasehq LLCs Notice Of Filing Exhibits In Support Of First Amended Complaint</i> (Attachments: # <u>1</u> Exhibit 1 – Patent 6,510,433, # <u>2</u> Exhibit 2 – Patent 6,665,680) (Flanigan, Anne) (Entered: 01/14/2021)
01/25/2021	<u>i 24</u>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Michael S. Kwun. Filing Fee \$ 200.00 Receipt # AFLSDC–14276906 by Google LLC. Attorney Edward Maurice Mullins added to party Google LLC(pty:dft). Responses due by 2/8/2021 (Attachments: # 1 Certification, # 2 Text of Proposed Order)(Mullins, Edward) (Entered: 01/25/2021)
01/25/2021	<u>i 25</u>	MOTION to Change Venue by Google LLC. Responses due by 2/8/2021 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Mullins, Edward) (Entered: 01/25/2021)
01/25/2021	<u>i</u> 26	PAPERLESS ORDER granting 24 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney Michael S. Kwun. Signed by Judge Beth Bloom (ks01) (Entered: 01/25/2021)
01/25/2021	<u>i</u> <u>27</u>	MOTION TO DISMISS <u>22</u> Amended Complaint/Amended Notice of Removal, <u>23</u> Notice (Other), FOR FAILURE TO STATE A CLAIM by Google LLC. Responses due by 2/8/2021 (Mullins, Edward) (Entered: 01/25/2021)
01/25/2021	<u>i 28</u>	Certificate of Other Affiliates/Corporate Disclosure Statement by Google LLC identifying Other Affiliate XXVI Holdings Inc., holding company of Google LLC, Other Affiliate Alphabet Inc., holding company of XXVI Holdings Inc. for Google LLC (Sox, Daniel) (Entered: 01/25/2021)
01/27/2021	<u>i 29</u>	

		Defendant's MOTION to Stay <i>Pending Resolution of <u>27</u> Motion to Dismiss and <u>25</u> Motion to Transfer by Google LLC. Responses due by 2/10/2021 (Mullins, Edward) (Entered: 01/27/2021)</i>
01/28/2021	<u>i 30</u>	Plaintiff's Certificate of Other Affiliates/Corporate Disclosure Statement by MINDBASEHQ LLC (Flanigan, Anne) (Entered: 01/28/2021)
01/28/2021	<u>i 31</u>	Joint SCHEDULING REPORT – <b>Rule 16.1</b> by MINDBASEHQ LLC (Attachments: # 1 Exhibit A – Joint Proposed Scheduling Order, # 2 Exhibit B – Election to Jurisdiction)(Flanigan, Anne) (Entered: 01/28/2021)
01/28/2021	<u>i</u> 32	Clerks Notice to Filer re 30 Certificate of Other Affiliates/Corporate Disclosure Statement. Other Affiliates/Corporate Parents Not Entered; ERROR – The Filer failed to enter all Other Affiliates/Corporate Parents from the Certificate of Other Affiliates/Corporate Disclosure Statement. Filer is instructed to refile their Certificate of Other Affiliates/Corporate Disclosure Statement and enter the missing Other Affiliates/Corp Parents. Note – Other Affiliates/Corporate Parents do not appear on the docket sheet. (nc) (Entered: 01/28/2021)
01/28/2021	<u>i 33</u>	Plaintiff's Certificate of Other Affiliates/Corporate Disclosure Statement by MINDBASEHQ LLC identifying Other Affiliate Gary Sharp, Other Affiliate James Modla, Other Affiliate Prime Capital Management, LLC, Other Affiliate XXVI Holdings, Inc., a holding company of Google LLC, Other Affiliate James Carson, Member of Prime Capital Management, LLC, Other Affiliate Former–Defendant, Alphabet, Inc., a holding company of XXVI Holdings, Inc for MINDBASEHQ LLC (Flanigan, Anne) (Entered: 01/28/2021)
01/29/2021	<u>i 34</u>	ORDER Setting Trial And Pre–Trial Schedule, Requiring Mediation, And Referring Certain Matters To Magistrate Judge: (Amended Pleadings due by 3/29/2021., Discovery due by 10/19/2021., Expert Discovery due by 10/19/2021., Joinder of Parties due by 3/29/2021., Mediation Deadline 11/2/2021., In Limine Motions due by 11/10/2021., Dispositive Motions due by 11/10/2021., Motions due by 11/10/2021., Pretrial Stipulation due by 1/31/2022., Jury Trial set for 2/14/2022 09:00 AM in Miami Division before Judge Beth Bloom., Calendar Call set for 2/8/2022 01:45 PM in Miami Division before Judge Beth Bloom.) (Mediation Deadline 11/2/2021.) Signed by Judge Beth Bloom on 1/28/2021. See attached document for full details. (kpe)
		Pattern Jury Instruction Builder – To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click here. (Entered: 01/29/2021)
02/04/2021	<u>i 35</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>25</u> MOTION to Change Venue, <u>27</u> MOTION TO DISMISS <u>22</u> Amended Complaint/Amended Notice of Removal, <u>23</u> Notice (Other), FOR FAILURE TO STATE A CLAIM by MINDBASEHQ LLC. (Attachments: # <u>1</u> Exhibit "A" – Proposed Order)(Flanigan, Anne) (Entered: 02/04/2021)
02/04/2021	<u>İ</u> 36	PAPERLESS ORDER granting <u>35</u> Plaintiff's Unopposed Motion for Extension of Time. Plaintiff shall file its responses to the Motion to Transfer, ECF No. <u>25</u> , and the Motion to Dismiss, ECF No. <u>27</u> , by no later than February 22, 2021. Signed by Judge Beth Bloom (ks01) (Entered: 02/04/2021)
02/10/2021	<u>i 37</u>	RESPONSE in Opposition re <u>29</u> Defendant's MOTION to Stay <i>Pending Resolution of <u>27</u> Motion to Dismiss and <u>25</u> Motion to Transfer filed by MINDBASEHQ LLC. Replies due by 2/17/2021. (Flanigan, Anne) (Entered: 02/10/2021)</i>
02/17/2021	<u>Í 38</u>	REPLY to Response to Motion re <u>29</u> Defendant's MOTION to Stay <i>Pending Resolution of <u>27</u> Motion to Dismiss and <u>25</u> Motion to Transfer filed by Google LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mullins, Edward) (Entered: 02/17/2021)</i>
02/18/2021	<u>İ 39</u>	Joint NOTICE of Mediation Hearing. <i>and Proposed Order</i> Selected/Added Harry Schafer Esq. as Mediator. Mediation Hearing set for 10/26/2021 at 11:00 a.m (Attachments: # 1 Exhibit A)(Mullins, Edward) (Entered: 02/18/2021)

02/18/2021	<u>i 40</u>	ORDER Scheduling Mediation before Harry Schafer. Mediation Deadline 10/29/2021. Mediation Hearing set for 10/26/2021 11:00 AM. Signed by Judge Beth Bloom on 2/18/2021. See attached document for full details. (kpe) (Entered: 02/18/2021)
02/22/2021	<u>i</u> 41	ORDER denying 29 Motion to Stay Pending Resolution of Motion to Dismiss and Motion to Transfer. Signed by Judge Beth Bloom on 2/22/2021. <i>See attached document for full details.</i> (kpe) (Entered: 02/22/2021)
02/22/2021	<u>i 42</u>	RESPONSE in Opposition re <u>25</u> MOTION to Change Venue filed by MINDBASEHQ LLC. Replies due by 3/1/2021. (Attachments: # <u>1</u> Exhibit "A" – Declaration of Gary Sharp, # <u>2</u> Exhibit "B" – Declaration of James Modla, # <u>3</u> Exhibit "C" – Declaration of Robert Terry Parker)(Hsu, Alen) (Entered: 02/22/2021)
02/22/2021	<u>i</u> 43	RESPONSE in Opposition re <u>27</u> MOTION TO DISMISS <u>22</u> Amended Complaint/Amended Notice of Removal, <u>23</u> Notice (Other), FOR FAILURE TO STATE A CLAIM filed by MINDBASEHQ LLC. Replies due by 3/1/2021. (Hsu, Alen) (Entered: 02/22/2021)
02/23/2021	<u>i</u> 44	ORDER Setting Motion Hearing By Video Conference. Motions <u>25</u> & <u>27</u> Hearing set for 3/12/2021 02:30 PM before Judge Beth Bloom. Signed by Judge Beth Bloom on 2/23/2021. <i>See attached document for full details.</i> (kpe) (Entered: 02/23/2021)
03/01/2021	<u>i</u> 45	REPLY to Response to Motion re <u>25</u> MOTION to Change Venue filed by Google LLC. (Attachments: # <u>1</u> Declaration of Michael S. Kwun)(Mullins, Edward) (Entered: 03/01/2021)
03/01/2021	<u>i</u> 46	REPLY to Response to Motion re <u>27</u> MOTION TO DISMISS <u>22</u> Amended Complaint/Amended Notice of Removal, <u>23</u> Notice (Other), FOR FAILURE TO STATE A CLAIM filed by Google LLC. (Mullins, Edward) (Entered: 03/01/2021)
03/12/2021	<u>í</u> 47	PAPERLESS Minute Entry for proceedings held before Judge Beth Bloom: Motion Hearing held on 3/12/2021 re 25 MOTION to Change Venue and 27 MOTION TO DISMISS. Total time in court: 1 hour: 30 minutes. Attorney Appearances: Daniel Alvarez Sox, Michael S. Kwun, Alen H. Hsu, James Iaconis, and Robert Terry Parker. Court Reporter: Yvette Hernandez, 305–523–5698 / Yvette_Hernandez@flsd.uscourts.gov. Written order to follow. (ks01) (Entered: 03/12/2021)
03/29/2021	<u>i</u> 48	Unopposed MOTION for Extension of Time to amend pleadings or join parties re <u>34</u> Scheduling Order,,,, Order Referring Case to Mediation,,,, Order Referring Case to Magistrate Judge,,, by MINDBASEHQ LLC. Responses due by 4/12/2021 (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Hsu, Alen) (Entered: 03/29/2021)
03/30/2021	<u>i</u> 49	PAPERLESS ORDER granting <u>48</u> Plaintiff's Unopposed Motion for Extension of Time to Amend Pleadings or Join Parties. The Parties shall have until April 12, 2021, to amend the pleadings in this matter. Signed by Judge Beth Bloom (ks01) (Entered: 03/30/2021)
03/31/2021	<u>Í</u> 50	TRANSCRIPT of Motion hearing via the Zoom platform held on 03/12/2021 before Judge Beth Bloom, 1 – 59 pages, Court Reporter: Yvette Hernandez, 305–523–5698 / Yvette_Hernandez@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/21/2021. Redacted Transcript Deadline set for 5/3/2021. Release of Transcript Restriction set for 6/29/2021. (yhz) (Entered: 03/31/2021)
04/09/2021	<u>i 51</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by Mindbasehq LLC. (Attachments: # <u>1</u> Exhibit A – Proposed Second Amended Complaint, # <u>2</u> Exhibit B – Google's Interrogatory Answer No. 9, # <u>3</u> Exhibit C – Proposed Order)(Flanigan, Anne) (Entered: 04/09/2021)
04/15/2021	<u>i 52</u>	STRICKEN. <b>NOTICE of Hearing</b> by ATTORNEY: Discovery Hearing set for 5/17/2021 02:30 PM in Miami Division before Magistrate Judge Alicia M. Otazo–Reyes. (Attachments: # 1 Exhibit Exhibit

		A – Google's Answers to Interrogatories, # 2 Exhibit Exhibit B – Google's Response to Request for Production) (Flanigan, Anne) Modified on Per DE# 54 4/16/2021 (ebz). (Entered: 04/15/2021)
04/15/2021	<u>i</u> 53	Clerks Notice to Filer re 52 Notice re Hearing by Attorney,. <b>Login/Signature Block Violation</b> ; CORRECTIVE ACTION REQUIRED – The name of attorney e–filing this document via their CM/ECF login does not match the name of attorney on the signature block of the document. The name used for login must match the typed name on signature block of the document. This filing is a violation of Section 3J(1) of CM/ECF Admin Procedures and Local Rule 5.1(b). Filer must File a Notice of Striking, then refile document pursuant to CM/ECF Admin Procedures and Local Rules. (jas) (Entered: 04/15/2021)
04/16/2021	İ <u>54</u>	NOTICE of Striking 53 Clerks Notice of Docket Correction and Instruction to Filer – Attorney,, by Mindbasehq LLC (Flanigan, Anne) (Entered: 04/16/2021)
04/16/2021	<u>i 55</u>	<b>NOTICE of Hearing</b> by ATTORNEY: Discovery Hearing set for 5/17/2021 02:30 PM in Miami Division before Magistrate Judge Alicia M. Otazo–Reyes. (Attachments: # 1 Exhibit A – Google's Answers to Interrogatories, # 2 Exhibit B – Google's Response to Request for Production) (Flanigan, Anne) (Entered: 04/16/2021)
04/22/2021	<u>İ</u> <u>56</u>	RESPONSE in Opposition re <u>51</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by Alphabet Inc., Google LLC. Replies due by 4/29/2021. (Attachments: # <u>1</u> Exhibit A., # <u>2</u> Exhibit B.)(Mullins, Edward) (Entered: 04/22/2021)
04/29/2021	<u>i</u> <u>57</u>	REPLY to Response to Motion re <u>51</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by Mindbasehq LLC. (Hsu, Alen) (Entered: 04/29/2021)
05/12/2021	<u>i 58</u>	ORDER ON MOTION TO TRANSFER. Motion to Change Venue DE# <u>25</u> is GRANTED. The Clerk of Court is directed to TRANSFER this case to the United StatesDistrict Court for the Northern District of California. To the extent not otherwise disposed of, any scheduled hearings are CANCELED, all pending motions are DENIED AS MOOT, and all deadlines are TERMINATED. The Clerk of Court is directed to CLOSE this case. Signed by Judge Beth Bloom on 5/12/2021. See attached document for full details. (ebz) (Entered: 05/13/2021)
05/12/2021	Ï	Civil Case Terminated per DE# <u>59</u> ORDER ON MOTION TO TRANSFER. The Clerk of Court is directed to TRANSFER this case to the United States District Court for the Northern District of California. Closing Case. (ebz) (Entered: 05/13/2021)
05/12/2021	<u>i 59</u>	FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (Attachments: # 1 Order) (ebz) (Entered: 05/13/2021)